CITY OF LAREDO’S FOURTH AMENDED ORDINANCE
PURSUANT TO §2.11 OF THE CITY CHARTER INSTITUTING EMERGENCY
MEASURES DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY

WHEREAS, the City of Laredo ("City") is a Home Rule City, acting under its Charter adopted by the electorate pursuant to Article XI Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the members of the Laredo City Council have been duly elected and qualified and vested with the authority through its police powers to pass and enforce any law that is reasonably necessary to protect the public health; and

WHEREAS, since the first U.S. case of COVID-19 was identified in Washington State on January 21, 2020, health officials to date have identified more than 257,305 cases, resulting in more than 6,574 deaths, across the United States; and

WHEREAS, on March 16, 2020, pursuant to Chapter 418 of the Texas Government Code, Mayor Pete Saenz issued the first Declaration of Public Health Emergency for the City of Laredo, that was extended by the Laredo City Council through March 31, 2020, in an effort to prepare for, respond to, and mitigate the spread of COVID-19 in the community; and

WHEREAS, on March 25, 2020, President Donald J. Trump approved the request by Governor Greg Abbott that the State of Texas be designated as a major disaster declaration following the announcement by the Commissioner of the Texas Department of State Health Services, John Hellerstedt, of a public health disaster for all counties, as COVID-19 “poses a high risk of death to a large number of people, creates a substantial risk of public exposure because of the disease’s method of transmission, and evidence that there is community spread;” and

WHEREAS, on March 26, 2020, data reported by the World Health Organization indicated that COVID-19 spreads when a person coughs or exhales thereby producing droplets that reach the nose, mouth or eyes of another person, and that other persons become infected by touching these contaminated objects or surfaces, then touching their eyes, nose or mouth; and

WHEREAS, on March 31, 2020, the Director for Center for Disease Control and Prevention ("CDC"), Dr. Robert Redfield, admitted that COVID-19 continues to spread rapidly across the country, because of asymptomatic transmitters and individuals who are transmitting 48 hours before they become symptomatic; and

WHEREAS, on March 29, 2020, the Director of John Hopkins Center for Health Security, Dr. Tom Ingelsby, stated that “members of the general public should wear non-medical fabric masks when going out in public in one additional societal effort to slow the spread of the virus down,” and Dr. Scott Gottlieb, former Commissioner of the US Food and Drug Administration, also reported that a recommendation from the CDC “for consumers to wear cotton masks would improve safety, reduce spread, and not strain the hospital supply chain;” and
WHEREAS, on March 31, 2020, the Director of the National Institute of Allergy and Infectious Diseases (NIAID) and as a member of the White House Coronavirus Task Force, Dr. Anthony Fauci, also recommended wearing facial coverings to prevent individuals from infecting others, and reported that the CDC is in the process of reviewing mask recommendations based on growing evidence that people experiencing no symptoms can spread the disease more widely than previously thought; and

WHEREAS, on April 1, 2020, the United States Surgeon General, Dr. Jerome Adams, admitted that the CDC has been asked to review their guidelines on the benefits of having more people wear masks to prevent transmission of COVID-19 based on new available science regarding the asymptomatic spread of the novel Coronavirus disease; and

WHEREAS, on April 3, 2020, in light of growing evidence to include studies from the New England Journal of Medicine, about how COVID-19 spreads, along with evidence of widespread COVID-19 illness in communities across the country, the CDC recommended that all individuals wear cloth face coverings in public settings, especially where other social distancing measures are difficult to maintain and in areas of significant community-based transmission; and

WHEREAS, pursuant to Chapters 121 of the Texas Health & Safety Code, and 85 of the Texas Administrative Code, the City Council appointed Dr. Hector Gonzalez as the Director of Health, and Dr. Victor Trevino as its Local Health Authority (“Local Health Officials”), with the duty to administer state and local laws relating to public health within the jurisdiction of the City; and

WHEREAS, only 4 of the 321 residents of the City of Laredo who have tested positive for COVID-19 to date have been identified as travel related, there have been 12 deaths related to the virus in the last 10 days, there exists a shortage of personal protective equipment, testing kits, and intensive care capacity in the community, and because of our geographical location and proximity to Mexico, the Local Health Authority has raised the level of community transmission from moderate to substantial, so that a more proactive and aggressive approach is needed to mitigate the local spread of this infectious disease; and

WHEREAS, the Local Health Authority is of the opinion that in addition to practicing social distancing and staying home, these additional control measures are necessary to prevent asymptomatic individuals with COVID-19 from unknowingly spreading the disease to the public; and

WHEREAS, in the exercise of its legislative discretion, the City Council hereby finds and declares that all the control measures implemented within this Ordinance are promulgated under the general police powers of the City, have been determined by the Local Health Authority as necessary for the protection of public health, are narrowly tailored, evidence based, and the least restrictive means possible to achieve the City of Laredo’s compelling public health interest of preventing the spread of COVID-19 within the community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:
SECTION 1. The above-referenced recitals are incorporated herein as the findings of the Laredo City Council as if set forth in full.

SECTION 2. Declaration of Public Health Emergency. There exists a public emergency requiring that this Ordinance be passed on the date of its execution to continue until 11:59 PM on May 30, 2020, unless otherwise rescinded, superseded, or amended by a subsequent order or applicable law.

SECTION 3. State and Federal Guidelines. The measures contained within this Ordinance shall be enacted consistent with the most recent orders and guidelines as established by:

Governor Greg Abbott’s Executive Order GA-14 issued March 31, 2020


Texas Department of Emergency Management’s Essential Services Designations

https://tdem.texas.gov/essentialservices/

Governor Greg Abbott’s Executive Order GA-16 issued April 17, 2020


Department of Homeland Security’s Guidance on How to Reopen Safely

https://www.dhs.gov/coronavirus

Center for Disease Control & Prevention’s Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission


President’s Coronavirus Guidelines for America

https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20_coronavirus-guidance_8.5x11_315PM.pdf

SECTION 4. Stay at Home. All individuals currently living within the City of Laredo, are hereby ORDERED to remain at their place of residence except as necessary to provide/obtain “essential services” or “reopened services,” or to engage in the “essential activities,” allowed under this Ordinance. The determination as to whether a service or activity is permitted shall be based on its primary purpose with City of Laredo being the final authority. Individuals engaging in, or conducting, permissible essential services, reopened services, and essential activities must at all times comply with Social Distancing Requirements. For purposes of this Order, “Social Distancing Requirements” means maintaining at least 6 feet social distancing from any other individual at all times.
SECTION 5. Minor Children. Parents and guardians are prohibited from taking minor children to any grocery store, convenience store, or big box store, unless doing so is necessary because of a lack of alternate childcare.

SECTION 6. Essential Services & Reopened Services Permitted. In this Ordinance, permitted services is limited to the following categories:

A. Religious Services. Religious and worship services may only be provided through remote audio, video, or teleconference. When preparing for, or while conducting, video or teleconference services, a Houses of Worship must limit the number of staff and volunteers to 10 people or less and consistently maintain social distancing. Under Governor Greg Abbott’s Executive Order GA 14, churches, congregations, and houses of worship are expressly allowed to conduct religious services and activities through remote audio, video, or teleconference. If unable to do so due to a lack of capability (technological or financial), then Executive Order GA 14 mandates that all religious services and activities be conducted in accordance with the applicable guidelines from the White House and CDC which currently recommends that if a community is experiencing substantial community spread of COVID-19, the houses of worship in that community should cancel all in-person gatherings of any size. However, under Executive Order GA14, a church, could still hold Easter services in its parking lot with attendees remain in their cars (windows down), parked in every other parking spot, with the minister using amplification to preach. Executive Order GA 14 further permits a house of worship, according to their faith practices, to provide communion or a blessing through a drive-up service.

B. Healthcare/Public Health. Includes, but is not limited to, hospitals, clinics, dentists, pharmacies, pharmaceutical, and biotechnology companies, other healthcare facilities, veterinary services, animal care clinics, all other health and welfare services provided to animals, healthcare suppliers (including fabric stores for purposes of making handmade masks), mental health providers, substance abuse service providers, court ordered drug testing, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare service provider, and any home based and residential-based care facility for seniors, adults, or children. Any retail or wholesale business that sells Personal Protective Equipment (PPE), including but not limited to, surgical masks, gowns, gloves, shields, eye protection, hair/head protection, disinfectant, hand sanitizers, and wipes, shall first offer to sell said equipment and supplies within reasonable quantities to any and all genuine health care service providers, workers, and first responders in the community, prior to offering for sale to the general public.

C. Law Enforcement, Public Safety, and other First Responders. Includes, but is not limited to, public, private, and voluntary personnel (front line and management) in emergency management, law enforcement, fire and rescue services, emergency medical services, and all private security employees, to include hazardous material responders, air medical service providers (pilots and supporting technicians), corrections, and search and rescue personnel, Public Safety/911 call center employees not able to perform their duties remotely, workers supporting the manufacturing of safety equipment and uniforms for law enforcement, public safety personnel, and first responder, retailers, importers, distributors, and shooting ranges, public agency workers responding to abuse and neglect of children, elders, and dependent adults.
D. Food & Agriculture. Includes, but is not limited to, workers supporting groceries, convenience stores (see additional restriction below), and other retail (including unattended and vending) that primarily sells human food, animal/pet food and pet supply, and beverage products, including retail customer support service and information technology support staff necessary for online orders, pickup and delivery, restaurant with carry-out and quick serve food operations, including kitchen and food prep centers, and carryout and delivery food employees, beverage production facilities, ranchers, farmers, farm workers, and agribusiness support services to include those employed in auction and sales, processing and distribution, animal food and feed, truck delivery, and transport. For Convenience Stores, no more than 10 people may be present in a single space (not including employees) and social distancing of six (6) feet per person must be maintained to the greatest extent possible. Restaurants and other facilities that prepare and serve food must adhere to strictest standards of sanitation and food preparation must ensure that all employees wear gloves and cover their nose and mouth with a medical mask or any form of cloth at all times, and must nor permit the same employees who prepare or serve food to handle money. Any retail business that sells Personal Protective Equipment (PPE), including but not limited to, surgical masks, gowns, gloves, shields, eye protection, hair/hood protection, disinfectant, hand sanitizers, and wipes, shall first offer to sell said medical equipment and supplies within reasonable quantities to any and all genuine health care service providers, workers, and first responders in the community, prior to offering to the general public.

E. Energy, Water, & Wastewater. Includes, but is not limited to, workers supporting the energy sector, regardless of the energy source, segment, or infrastructure the worker is involved in, or who are needed to monitor, operate, engineer, and maintain the reliability, safety, environmental health, and physical and cyber security of the energy system, and employees needed to operate and maintain drinking water and wastewater/drainage infrastructure.

F. Transportation & Logistics. Includes, but is not limited to, employees supporting or enabling transportation functions, including truck drivers, bus drivers, dispatchers, maintenance and repair technicians, warehouse workers, truck stop workers, businesses and workers supporting the distribution of food, employees of firms providing services, supplies, and equipment that enable warehouse and operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use, employees supporting personal and commercial transportation services, including taxis, delivery services, vehicle rental services, bicycle maintenance and car-sharing services, and transportation network providers, gas stations, automobile dealerships, auto-manufacturing, assembly, auto-supply, auto repair, and other related facilities. In order to prevent the spread of COVID-19, employers must conduct temperature checks for employees arriving and departing facilities; truck drivers must remain in their trucks; truck drivers must use their own writing instrument; all individuals must wear gloves and dispose of them properly; all individuals must wash their hands immediately after handling any documents or paperwork; all documents shall be kept in plastic bags; individuals must clean and sanitize shoes when entering from the warehouse area to an office space; dock workers must not congregate in groups; impose limitations of access to facility; and drivers and other non-essential visitors must meet in the yard and if they must enter the facility, they are required to take their temperature prior to entering a facility.
G. Public Works & Infrastructure Support Systems. Includes, but is not limited to, workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues, workers such as plumbers, electricians, exterminators, builders, contractors, HVAC Technicians, landscapers, other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, businesses and buildings such as hospitals, senior living facilities, any temporary construction required to support COVID-19 response, and support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste (including landfill operations).

H. Communications & Information Technology. Includes, but is not limited to, services and their essential services vendors for global, national, and local infrastructure for computing services, business infrastructure, communications, web-based services, and critical manufacturing, as well as telecommunications services, internet access and broadband/communications services, workers who support radio, television, and media service, employees required in person to support software as a service businesses that enable remote working, performance of business operations, distance learning, media services, and digital health offerings, or required for technical support crucial for business continuity.

I. Community or Government Based Operations and Essential Functions. Includes, but is not limited to, workers to ensure continuity of building functions, including security, the permits and inspections for construction supporting essential infrastructure, elections personnel to include both public and private sector elections support, workers supporting the operations of the judicial system, employees necessary to maintain news and media operations across various media, employees supporting Census 2020, weather forecasters, clergy for essential support, workers who maintain digital systems infrastructure supporting other critical government operations, workers who support necessary credentialing, vetting and licensing operations for critical infrastructure workers, customs and immigration workers educators supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions, staff at local governments needed to ensure the continuing operation of the government agencies and to provide for the health, safety, and welfare of the public, workers who perform title search, notary, and recording services in support of mortgage and real estate services and transactions, workers supporting essential maintenance, manufacturing, design, operation, inspection, security, and construction for essential products, services, and supply chain and COVID 19 relief efforts.

J. Critical Manufacturing. Includes, but is not limited to workers necessary for the manufacturing of metals, and workers who produce or manufacture parts or equipment that supports continued operations for any essential services and increase in remote workforce.
K. **Chemical.** Includes, but is not limited to workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, and workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, paintings and coatings, textiles, building materials, plumbing, electrical, and paper products.

L. **Commercial Facilities.** Includes, but is not limited to workers who support the supply chain of building materials from production through hardware, plumbing, electrical, heating/cooling, appliances, paint, and employees who provide services that enable repair materials and equipment for essential functions. Workers supporting e-commerce through distribution, warehouse, call center facilities, and other essential operational support functions, workers in hardware and building materials stores, consumer electronics, technology and appliances retail, and related merchant wholesalers and distributors with reduced staff to ensure continued operations.

M. **Financial Services.** Includes banks and related financial institutions, consumer lenders, sales and finance lenders, paws shops, credit unions, appraisers, and title companies.

N. **Defense Industrial Base.** Includes, but is not limited to, workers who support the essential services required to meet national security commitments to the federal government and U.S. Military.

O. **Hygiene Products and Services.** Includes, but is not limited to workers in laundromats, laundry services, and dry cleaners, workers providing personal and household goods repair and maintenance, support required for continuity of services, including commercial disinfectant services, janitorial and cleaning personnel. *For any retail or wholesale business that sells Personal Protective Equipment (PPE), including but not limited to, surgical masks, gowns, gloves, shields, eye protection, hair/head protection, disinfectant, hand sanitizers, and wipes, shall first offer to sell said medical equipment and supplies within reasonable quantities to any and all genuine health care service providers, workers, and first responders in the community, prior to offering for sale to the general public.*

P. **Residential/Shelter Facilities and Services.** Includes, but is not limited to, workers who support food, shelter, and social services, and other necessities of life for needy groups and individuals, workers in animal shelters, workers responsible for the leasing of residential properties to provide individuals and families with ready access to available housing, workers responsible for handling property management, maintenance, and related service calls, workers performing housing construction related activities, and workers performing services in support of the elderly and disabled populations.
Q. Day/Child Care Facilities & Schools. Day/Care Child Facilities may provide services only for employees required to perform the essential services required under this Ordinance and only under the following mandatory conditions: (1) Childcare must be carried out in stable groups of 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day); (2) If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other; and (3) Childcare providers shall remain solely with one group of children. Educational institutions, including public, private K-12 schools, colleges, and universities, only for the purposes of facilitating distance learning, performing essential functions, or providing free services to students or members of the public on a pick-up and take-away basis only, provided in compliance with the requirements of Section 4 (Social Distance) and Section 10 (Covering of Nose and Mouth) of this Ordinance.

R. Assisted Living Facilities, Senior Living Facilities and Adult Day Programs. Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation. Adult Day Care Programs may provide services only for employees required to perform the essential services required under this Ordinance.

S. Reopened Services (Retail to Go). Beginning 12:01 a.m. on Friday, April 24, 2020, all other retail services that are not identified as an essential service in Subsections A through R above, but that may be provided through pickup, delivery by mail, or delivery to the customer’s doorstep, if in strict compliance with the terms required by DSHS that have been attached to this Ordinance as Exhibit A.

SECTION 7. Essential Activities Permitted. In this Ordinance, "Essential Activities" are limited to the following categories:

A. Outdoor Activity. Includes, but is not limited to, any outdoor physical activity, such as, by way of example and without limitation, walking, fishing, ranching, hunting, hiking, or running, provided the individuals comply with social distancing requirements.

B. Care of Others. Individuals are permitted to leave their residence for purposes of caring for a family member or pet in another household.

C. Travel. Includes travel to, or travel from, another jurisdiction only if for purposes of engaging in, or conducting, any essential service/activity permitted under this Ordinance. Also includes local travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit only if for purposes of engaging in, or conducting, any essential service/activity herein allowed under this Ordinance.
SECTION 8. Non-Essential Services Prohibited. In this Ordinance, non-essential prohibited services includes the following categories:

A. Bars, lounges, and private clubs.
B. Fitness centers, yoga, gyms, or other exercise facilities.
C. Bingos and amusement redemption centers.
D. Barbershops, hair, nail, tanning and skincare salons, any other beauty servicing business.
E. Massage parlors, tattoo parlors and other piercing businesses.
F. Reception halls and party rental places.
G. Entertainment facilities.

H. Any other business, governmental entity, or workplace, including a division thereof, that does not provide an essential service permitted by this Ordinance, or that does not have the capability (technological or financial) of allowing employees to work remotely from home. Non-essential businesses may continue operations from home. Individuals may return to a non-essential business to ensure security, process payroll, and facilitate working remotely from their residence.

SECTION 9. Non-Essential Activities. Unless expressly permitted under this Ordinance, all other public and private gatherings of any number with persons not members of your household are prohibited. This does not prohibit an individual from caring for a friend, family member, or pet in another household.

SECTION 10. Covering of Nose and Mouth. In order to protect yourself and others from the spread of COVID-19, it is recommended by the City of Laredo Local Health Authority that you cover your nose and mouth at all times to the extent possible whether you are alone, with members of your household, inside, or outside of your private residence. This notwithstanding, all persons two years of age and older are hereby required to wear some form of covering over their nose and mouth (such as a scarf, bandana, handkerchief, or homemade mask from cloth or similar material) at all times when outside of their place of residence except:

A. When driving/riding in a personal vehicle;
B. When alone in a separate and enclosed single space;
C. When outside alone on a public street or sidewalk provided that no other person is within a 6 feet proximity and a nose and mouth covering is at all times worn in such a manner that it is visibly and readily accessible in the event social distancing cannot be maintained;
D. When necessary for consumption purposes;
E. When said person has trouble breathing, is unconscious, is incapacitated, or is otherwise unable to remove the cover without assistance; or
F. When necessary because of a medical condition or for any other valid health & safety reason, the reasonableness of which shall be determined solely by the City of Laredo.
SECTION 11. Curfew. A curfew for all shall to be imposed from 10:00 PM to 5:00 AM, unless that person is engaging, performing, or on route to engage or perform in an essential service or activity as provided herein.

SECTION 12. Exemption. Individuals experiencing homelessness are exempt from this Ordinance except that, to the extent individuals are using shared or outdoor spaces, they shall, to the greatest extent feasible, maintain social distancing. Governmental and other entities are strongly urged to make shelter available as soon as possible, to the maximum extent practicable, and to use COVID-19 risk mitigation practices in their operation.

SECTION 13. Parks. Individuals are not to visit public parks with the limited exception of using city trails for one of the permitted outdoor activities identified in Section 7A above provided there is at all times: (i) full compliance with the six feet social distance requirement; and (ii) some form of face and mouth covering being worn, in accordance with Section 10 above.

SECTION 14. Positive Test Result. If someone in a household has tested positive for COVID-19 and is not hospitalized, the household is ordered to isolate at home for a period of at least three days (72 hours) since recovery. Recovery is defined as resolution of fever without the use of fever reducing medications and improvement in respiratory symptoms (e.g. cough, shortness of breath); and, at least seven (7) days have passed since symptoms first appeared. The Health Department may impose a longer period of time for quarantine or isolation. If a member of the household tests positive, then other members of the household with symptoms should also consider themselves positive and follow the isolation and quarantine measures prescribed by health authorities. Asymptomatic members of the household shall not leave the home until the member of the household who tested positive is no longer required to isolate.

SECTION 15. Hospital Preparedness. All local hospitals shall ensure that the physicians, floor nurses, and other staff who currently work, or have worked within the last two (2) weeks, in their COVID-19 Unit, be tested for the novel coronavirus (COVID-19). Any Healthcare Professional that tests positive for COVID-19 shall remain in quarantine for no less than (14) fourteen days. All local hospitals shall provide Healthcare Professionals and other staff who work in their COVID-19 Unit with clothing, gloves, N95 facemasks, and any other personal protective equipment (PPE) necessary to protect the wearer and patients from the spread of the illness. If any local hospital cannot obtain an adequate supply of PPE from their vendor(s), and have exhausted all alternative options, then the local hospital shall send an official request to the local Office of Emergency Management. All COVID-19 floor nurses that wok in a local hospital are prohibited from taking breaks together while on the floor, where they are removing their masks. All COVID-19 personnel shall not be assigned to work in another unit of the hospital without a 14-day break, or proper mitigation measures, such as additional testing prior to reassignment. All local hospitals shall include the Local Health Authority, or a physician delegated by the Local Health Authority to perform duties in his absence, in every decision-making meeting that involves the hospital’s response to the COVID-19 public health emergency.
SECTION 16. Random Testing. The City of Laredo Health Authority deems it in the best interest of the City to conduct random COVID-19 testing of asymptomatic individuals in order to better understand how COVID-19 is being spread amongst the population of the City of Laredo. Random testing shall be conducted among three cross-sections of the community. Individuals in each ground must be different from those tested in other groups. Group 1 will consist of a random selection of the community. Group 2 shall consist of individuals in the following tier groups depending on test availability and individual exposure: Tier 1 - medical staff at Laredo hospitals including emergency medical workers; Tier 2 - first responders including City of Laredo Police Department and Firefighters; and Tier 3 - First Transit employees including El Lift drivers. Group 3 shall consist of individuals coming in through the City’s ports of entry, with a focus on pedestrian traffic at Bridge 1.

SECTION 17. Donations. The City of Laredo City Council deems it in the best interest of the public to issue the following monetary donations for May 2020 provided that documentation and receipts for food purchases are provided to be accounted for by City of Laredo personnel: $10,000.00 to the Laredo Regional Food Bank for the purposes of providing meals to local people in need; $10,000.00 to Joseph Store House at New Vision Community Church for the purposes of replenishing their food pantry that is to be distributed and delivered to senior citizens and those in need at no cost; $10,000.00 to the Holding Institute Community Center for the purposes of providing meals to people in need; and $100,000.00 to the South Texas Food Bank for the purposes of providing meals to people in need.

SECTION 18. Penalties. Failure to comply with the above provision of this Order constitutes an imminent threat to public health. In accordance with the authority under Texas Government Section 418.173, the Texas Disaster Act of 1975, with the exception of Section 10, any person who violates this Ordinance is subject to a Class B misdemeanor punishable by a fine not to exceed $1,000 and/or confinement not exceeding 180 days. The penalty for a violation of Section 10 of this Ordinance shall be a Class C misdemeanor punishable by a fine not to exceed $1,000. All revenues collected for violations of Section 10 shall be earmarked by the City of Laredo for expenses related to the COVID-19 disaster.

SECTION 19. Residential Evictions. Beginning at 12:01 a.m. on April 30, 2020, Landlords shall be prohibited from evicting a residential tenant for non-payment of rent during throughout the COVID-19 Declaration of Emergency if the tenant is able to provide the Landlord with evidence of his or her inability to pay rent due to circumstances related to a COVID-19 Financial Impact. If a tenant does not provide objectively verifiable evidence of a COVID financial impact to the Landlord, within five (5) days of receiving a Notice to Evict, the Landlord may pursue any enforcement action in accordance with state and local laws. Nothing in this article eliminates any obligation by tenant to pay Landlord all lawfully charged rent and fees due. For Purposes of this Section, a COVID-19 Financial Impact means a substantial decrease in household income for a residential tenant related to COVID-19, due to business closure or layoff. A financial impact is "related to COVID-19" if it is caused by the COVID-19 Pandemic or any governmental response to the COVID-19 Pandemic, including complying with any public health orders or recommended guidance related to COVID-19 from local, state, or federal governmental authorities.
SECTION 20. COVID-19 Related Leave. The City of Laredo shall pay a maximum of fourteen (14) days of emergency paid sick leave to any City employee who has tested positive, or who has a spouse or child that has tested positive, for COVID-19. This leave is available from April 1, 2020, through December 31, 2020.

SECTION 21. Utility Bill Forgiveness. The City of Laredo shall allocate one million five hundred thousand ($1,500,000.00) dollars through monies “COVID-19 Emergency Relief Funds” acquired from the Utilities Department-Water Availability Fund, Solid Waste Department, and/or Environmental Services Department, for purposes of covering the costs of a maximum of three (3) months of residential utility fees for qualifying individuals who are unable to pay their bills due to a layoff that is a direct result of the COVID-19 Pandemic. Pursuant to the authority of Section 2.11 of the City Charter, any and all ordinance provisions in direct conflict with this Section, including but not limited to 2019-O-071, shall be temporary repealed for the duration of this Emergency Ordinance. The City Council finds that despite the fact that these expenditures may incidentally benefit private interests, the legitimate municipal public purpose of reviving the economy is directly accomplished through the controlled assistance of eligible residents who have been most impacted by the public health emergency.

SECTION 22. Posting. The City of Laredo must promptly provide copies of this Order by posting on the City website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

SECTION 23. Prior & Successive Orders. The Emergency Ordinance related to COVID-10 was initially adopted by the City Council on March 31, 2020, and amended again on April 3, 2020, and April 8, 2020. In the event of any conflict between the Fourth Emergency Ordinance and a prior declaration or order pertaining to COVID-19, this Fourth Amended Ordinance prevails. In accordance with Chapter 121 and Section 85.1 of the Texas Health & Safety Code, and Chapter 85 of the Texas Administrative Code, the Local Health Officials acting through the City Manager may update this Ordinance as necessary to respond to the evolving circumstances of the Local COVID-19 Transmission outbreak.

SECTION 24. Severability. If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any set of circumstances, is held to be unconstitutional or void, the validity of the remaining portions of this Ordinance or their application to other circumstances shall not be affected. It is the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, void, or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

SECTION 25. Effective Date. Pursuant to the authority of Chapter 2.11 of the City Charter, this Ordinance shall take effect at 12:01 A.M. on April 24, 2020, immediately from and after its execution.
ON THIS 23RD DAY OF APRIL, 2020, this Ordinance was passed by the City Council, approved by the Mayor, and in accordance with the control measures requested by the Local Health Authority pursuant to Chapter 121 and Chapter 85 of the Texas Health and Safety Code, and Section 85.1 of the Texas Administrative Code.

Pete Saenz
MAYOR

ATTESTED:

Jose A. Valdez, Jr.
CITY SECRETARY

APPROVED AS TO FORM:

Kristina K. Laurel Hale
CITY ATTORNEY
COVID-19: Guidance for Employers, Employees, and Customers of Reopened Retail Services

This guidance is based on the best information currently available and will be updated when appropriate. Please visit dshs.texas.gov/coronavirus and cdc.gov/coronavirus for updates. This guidance is intended for employers, employees, and customers of retail businesses reopening under the Governor’s Executive Order issued on April 17, 2020. This guidance does not apply to businesses considered essential. This guidance is based on recommendations from the Centers for Disease Control and Prevention (CDC).

I am an Employee of a retail business re-opening. What should I do to keep myself and our customers safe?

- All employees must be trained on environmental cleaning and disinfection, hand hygiene, and respiratory etiquette.
- All employees must be screened before coming into the business for new or worsening cough; shortness of breath; sore throat; loss of taste or smell; feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit; or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria should be sent home.
- Upon entering the business, employees must wash or sanitize hands.
- All employees must wear face coverings.
- Employees must maintain at least 6 feet separation from one another.

I am a Customer. How do I purchase and obtain goods from a retail store that has just re-opened?

- Customers may purchase items from a retail location for pickup, delivery by mail, or delivery to the customer’s doorstep, but may not enter the premises.
• Retail to-go:
  o All payments should be done over the phone or internet if possible, and contact should be minimized if remote payment is not available.
  o Purchased items should be delivered by the employee to the backseat or trunk of the customer’s vehicle whenever possible to minimize physical contact with the customer.
  o Employees must wash or sanitize their hands after each interaction with a customer, and whenever possible, must disinfect any item that came into contact with the customer.
• Retail delivery to customer’s doorstep:
  o All payments should be done over the phone or internet if possible, and contact should be minimized if remote payment is not available.
  o Purchased items should be delivered by an employee or third-party carrier and delivered to the customer’s doorstep. The employee or third-party carrier may not enter the customer’s house or business.
• Retail delivery by mail:
  o All payments must be done over the phone or internet.
  o Purchased items should be delivered by mail without customer contact.
• The customer should wash or sanitize their hands after the transaction.